

10.06.2025

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**C.R.M. (NDPS) 414 of 2025**

In Re:- An application for bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Jalangi Police Station case no. 299 of 2024 dated 28.8.2024 under Sections 21(C)/25/29 of the NDPS Act, 1985.

And

In the matter of : **Asarul Islam & Ors.**

**.... Petitioners**

Mr. Arnab Chatterjee

Mr. Avik Ghosh

Ms. P. Bose

...for the Petitioners

Mr. Ranadeb Sengupta

Mr. Bikram Mitra

...for the State

It is submitted on behalf of the petitioners that the petitioners were arrested on 28<sup>th</sup> August, 2024 and that, according to the prosecution case, 1985 nos. of bottles of Phensedyl cough syrup containing codeine phosphate were recovered from the joint possession of all the three accused persons/petitioners. However, the petitioner nos. 2 and 3 boarded the vehicle without knowing that the narcotic substances were allegedly kept at the ceiling of the vehicle and as such, the said petitioners were not in conscious possession of the narcotic substances and that they have no criminal antecedents and they may be released on bail on any terms and conditions.

Learned counsel for the State vehemently opposed the bail prayer and contended that investigation has already been culminated into a charge-sheet against all the three accused

persons/petitioners and the trial is going to be started soon and if they are released on bail, there is every chance of absconsion, which will get the trial delayed.

Having considered the submissions made on behalf of both the parties and that rigour of Section 37 of the NDPS Act clearly attracts in the present case against all the three accused persons/petitioners, the prayer for bail is rejected.

Accordingly, CRM (NDPS) 414 of 2025 is disposed of.

However, the Trial court is requested to expedite the trial and to make every endeavour to conclude the entire proceeding as early as possible, keeping it in mind that the right to speedy trial is a valuable fundamental right of the petitioners.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

**(Dr. Ajoy Kumar Mukherjee, J.)**